

# Bhatt Murphy Solicitors

## PRESS RELEASE

### IPCC UPHOLD JODY MCINTYRE'S APPEAL AGAINST MET INVESTIGATION OF HIS TREATMENT OF ON 9 DECEMBER 2010

The Independent Police Complaints Commission has concluded that the failings of an investigation by the Metropolitan Police Service Directorate of Professional Standards have allowed an officer to escape criminal sanctions.

In upholding Jody McIntyre's appeal against the outcome of the investigation in which the MPS concluded that no officer had any case to answer in respect of the events of 9 December 2010, the IPCC have concluded that:

- Excessive force was used by the police officer who dragged Mr McIntyre across the road after he was removed from his wheelchair, and that officer's conduct should have been referred to the Crown Prosecution Service for consideration of criminal charges, but that is now not possible because of the time that has lapsed;
- That officer also has a case to answer in respect of disciplinary action;
- Mr McIntyre has a 'legitimate grievance' with regard to the baton strike to which he was subject, and the MPS should have upheld his complaint about that strike; and
- An apology to Mr McIntyre for the baton strike would be appropriate in the circumstances.

Mr McIntyre said:

*I am pleased that the IPCC's consideration of my appeal has confirmed my view that the investigation that was conducted by the Met was seriously deficient. The conclusions that have been reached by the IPCC represent a small step towards the accountability that I seek in respect of the way in which I was treated by police officers on 9 December 2010.*

*However, there is still some considerable way to go in this regard and it is of particular concern to me that the officer who dragged me across the road has escaped criminal sanction for his actions because of the failings in the investigation that was conducted by the Met. I am currently considering what further legal action may be appropriate to ensure that those responsible for the way in which I was treated on 9 December 2010 are held to account for their actions.*

Michael Oswald of Bhatt Murphy, solicitor for Mr McIntyre said:

*The conclusions of the IPCC have vindicated the serious concerns held by Mr McIntyre with regard to the quality of the investigation that was conducted by the Metropolitan Police Service into their officers' treatment of him. We look now to the Metropolitan Police Service to acknowledge the failings of the officers who came into contact with Mr McIntyre on 9 December 2010 as well as those who failed properly to discharge their duty to investigate those initial events.*

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